

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

**AMENDED ORDER AFFIRMING THE  
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on January 28, 2009 his Recommended Decision. The Plaintiff filed his objections to the Recommended Decision on February 17, 2009 and the Defendant filed his Response to those objections on March 5, 2009. I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore ORDERED that the Recommended Decision of the Magistrate Judge is hereby AFFIRMED.
2. It is further ORDERED that the Commissioner's decision be and hereby is VACATED and the case REMANDED for further proceedings.

SO ORDERED.

/s/ John A. Woodcock, Jr.  
JOHN A. WOODCOCK, JR.  
UNITED STATES DISTRICT JUDGE

Dated this 6<sup>th</sup> day of March, 2009.